

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

MECCATECH, INC.

Plaintiff,

v.

**CLAUDIA KISER, SARAH
SHEPHERD, PAT BARIL, STRATEGIC
GOVERNMENTAL SOLUTIONS, and
NEBRASKA ASSOCIATION OF
SCHOOL BOARDS,**

Defendants.

Case No. 8:05CV570

ORDER

The Nebraska Association of School Boards ("NASB") has objected to portions of both the Affidavit of and the Declaration of Gary Tyler (Filing Nos. 5 and 39). The objection may be found at filing no. 43. I have considered the matter, and I conclude that the objections should be sustained. Paragraphs 19 and 20 of the Affidavit at Filing No. 5 will not be considered for the reasons stated in the objection. In addition, I shall grant the objection as to the last sentence of paragraph 3, all of paragraph 4, and Exhibit A of the Tyler Declaration at filing no. 39, as insufficient to demonstrate that Mr. Thomas Wood, who has been identified as MeccaTech, Inc.'s receiver, authorized this litigation. I will grant the Plaintiff leave to file, preferably by the week's end, a properly executed and notarized affidavit or declaration made upon Wood's personal knowledge that demonstrates that Wood has granted the Plaintiff express permission to commence this litigation. Accordingly,

IT IS ORDERED:

1. Defendant NASB'S Objection (Filing No. 43) is granted as described herein; and
2. Plaintiff MeccaTech, Inc., has leave of the Court to file an affidavit or declaration of Mr. Thomas Wood on or before Monday, March 6, 2006.

DATED this 28th day of February, 2006.

BY THE COURT:

s/ Laurie Smith Camp
United States District Judge